

**IAP6 Rec'd PCT/PTO 06 APR 2007**

IN THE UNITED STATES RECEIVING OFFICE

Applicant : David W. Morris, et al.  
Serial No. : 10/573,332  
Conf. No. : 5041  
Int'l. Filing Date: September 23, 2004  
Int'l. Appln. No.: PCT/US04/31617  
Title : NOVEL THERAPEUTIC TARGETS IN CANCER

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed September 8, 2006 (copy enclosed), Applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the declaration.
- ☒ Please apply the surcharge of \$130 for late filing of the declaration to Deposit Account No. 06-1050.
- ☒ Petition for Five-Month Extension of Time
- ☒ A Declaration for Utility Application in compliance with 37 CFR §§1.63 and 1.497; and,
- ☒ Other:

The enclosed Declaration for Utility Patent Application is a copy of that submitted in corresponding U.S. Patent Application No. 10/669,920 filed September 23, 2003.

Applicants submit herewith, a Statement Under 37 CFR §1.821(f) and (g) and a Sequence Listing on compact disc (designated "CRF") for the above-referenced application. The disc contains an Initial Sequence Listing submitted in accordance with 37 C.F.R. § 1.821 and 1.825. In addition, Applicants include Copy 1 and Copy 2 of sequence listing in lieu of the paper copy.

The contents of all three copies are identical and includes no new matter, as required by 37 CFR 1.52(e), 1.821(f) and 1.821(g).

04/11/2007 GREY1 00000050 061050 10573332  
01 FC:1617 130.00 DA

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 896497507 US

April 6, 2007

Date of Deposit

Applicant : David W. Morris et al.  
Serial No. : 10/573,332  
Int'l. Filing  
Date: : September 23, 2004  
Page : 2 of 2

Attorney's Docket No.: 20366-066US1/  
PP023362.0003

Applicant respectfully requests entry of the computer readable copy of the Sequence Listing filed herewith for the instant application. Furthermore, Applicant requests entry of the following amendments.

In the specification:

The Sequence Listing filed herewith is to be inserted following the Drawings.

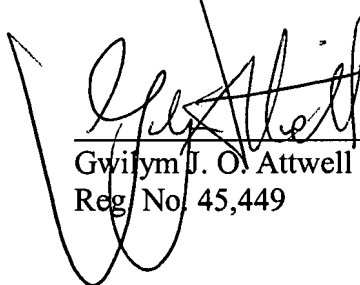
REMARKS

Applicant hereby submits that the enclosures fulfill the requirements under 37 CFR §1.821-1.825. The amendments in the specification merely insert the Sequence Listing and sequence identifiers in the specification. No new matter has been added.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 6, 2007

  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,332	David W. Morris	PP0233620003

27476  
Chiron Corporation  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, CA 94662-8097

INTERNATIONAL APPLICATION NO.
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PCT/US04/31617

I.A. FILING DATE	PRIORITY DATE
09/23/2004	09/23/2003

CONFIRMATION NO. 5041

371 FORMALITIES LETTER



\*OC000000020343624\*

Date Mailed: 09/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/23/2006
- Copy of the International Search Report filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Specification filed on 03/23/2006
- Claims filed on 03/23/2006
- Abstracts filed on 03/23/2006
- Drawings filed on 03/23/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another

(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,332	PCT/US04/31617	PP0233620003